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PAVING AT LAST

If the citizens of Albuquerque have any confidence in the present city council, the action of that body last night should settle the question of street paving.

Albuquerque cannot be allowed to lag behind in the class of overgrown villages which are blind to the necessity of civic progress. The paving of the streets is not a matter of municipal luxury, but of municipal necessity. The work simply must be done if the city is to retain any sort of standing in the eyes of the outside world. It has already been delayed far too long, and an aroused public sentiment now demands that it be delayed no longer.

With the city council rears the responsibility of deciding which of the various paving materials suggested is the best suited to the needs of Albuquerque. That body has now had the question before it for more than half a year, and has placed at its disposal all the information that could be gathered if it were to wait another half year. No conceivable good could be accomplished by further delaying action, for if they do not know at this time what is the proper decision to make in the matter it is entirely out of the range of probability that they will ever know. They are accountable to the people of the city and if they have made an unwise selection there is no doubt that they will hear from their constituents on the subject.

Mayor Elder is in no manner to be condemned for his veto of the ordinance passed last night. He merely placed himself on record as to a matter of policy in no way connected with the controversy as to the kind of material that should be selected, and his action in calling a special meeting of the council for tonight in order to give an opportunity for the prompt overriding of his veto shows a patriotic sense of responsibility to the people and a keen appreciation of the importance of having the streets paved without further delay.

MR. BRYAN'S LATEST

As was to have been expected, and as had been predicted by the Herald, the serious mention of Congressman Oscar W. Underwood's name as a candidate for the Democratic nomination for president has caused William Jennings Bryan to throw another fit.

In the current number of the Commonwealth Mr. Bryan lets it be known that he will have nothing to do with the nomination of Mr. Underwood. He gives it out that the Alabama congressman is not in sympathy with the proletariat and is nothing more nor less than a phantasm of that intangible, but evidently, from Mr. Bryan's standpoint, very undesirable element known as Wall Street. He admits Mr. Underwood's ability and his aggressive fighting spirit, but contends that those very qualities make him all the more dangerous as a foe to the great unwashed and an advocate of the unholy interests of those kid-gloved monsters who do business on Wall street and whom Mr. Bryan would fain see eating a crust of black bread in their confinement behind the steel-trust bars of a felon's cell.

All of which is very interesting. But the question now arises, is Mr. Underwood any worse off since Mr. Bryan has spoken his mind than he was before? It is certain that he can not be nominated over such open opposition as Mr. Bryan is interposing, and equally certain that he could not be elected if he had chanced to hear the unqualified endorsement and approval of Mr. Bryan. Perhaps the most favorable symptom of Governor Woodrow Wilson's candidacy is the fact that as to the present time he has been able to secure both Mr. Bryan opposition and a Bryan approval.

The buoyant predictions of Democratic victory next year which come so persistently from inspired Democratic sources ring very hollow in the light of the dense shadow which William Jennings Bryan still throws over his party. Nothing is clearer than that no candidate acceptable to the conservative eastern states has any chance to win Mr. Bryan's support, which is indispensable to a Democratic nomination, and that no candidate acceptable to Mr. Bryan has any chance to carry any of the conservative eastern states, which is indispensable to election. The fact that Speaker Clark is at present Mr. Bryan's favorite for the nomination, by the way, speaks eloquently as to the kind of president that we would have if the country were to listen to the pleading of the three-defeated Pericles Leader.

As for Mr. Underwood, the best evidence that he has yet given of possessing qualities of statecraft is the fact that he does not himself take his candidacy seriously.

LEGAL PHRASEOLOGY

In a recent address in criminal law reform, Judge Charles A. DeCourcy, of the superior court of Massachusetts, made some comments on the useless verbiage employed in writing indictments. In the course of his remarks he read an indictment which was returned in 1905 in a Missouri murder case. It was as follows:

That G. W. and C. W., late of the county of P. and State of Missouri, on the sixteenth day of January, 1905, at the county of P. and state of Missouri, did then and there, in and upon the body of one E. P. then and there being unlawfully, wilfully, feloniously, premeditatedly, on purpose, and of malice aforethought, make an assault, and with a dangerous and deadly weapon, to wit, a club, which said club was then and

there of the length of four feet, of the breadth of two inches, and of the weight of ten pounds, and which said club the said G. W. and C. W. then and there in hands had and held, the said G. W. and C. W. did then and there unlawfully, wilfully, feloniously, premeditatedly, on purpose, and of their malice aforethought, strike and beat him, the said E. P., at and upon the right side of the head of him, the said E. P., with the club aforesaid, inflicting on and giving to him, the said E. P., in and upon the right side of the head of him, the said E. P., one mortal wound, which said mortal wound was of the length of four inches and of the breadth of two inches, of which said mortal wound the said E. P. from said sixteenth of January, 1905, the year aforesaid, in the county aforesaid, until the eighteenth day of January, in the year aforesaid, in the county aforesaid, did languish and languishing, did live, on which said eighteenth day of January, in the year aforesaid, the said E. P., in the county and state aforesaid, of the mortal wound aforesaid, died; and so J. C. prosecuting attorney, upon his official oath as aforesaid, doth say that the said G. W. and C. W., him the said E. P., in the manner and by the means aforesaid, unlawfully, feloniously, premeditatedly, on purpose, and of malice aforethought, did kill and murder, against the peace and dignity of the state.

It is evident that the prosecuting attorney who drew the indictment took considerable pains not to overlook anything that was essential and in so doing incorporated a good deal that might have been omitted, says the Louisville Courier-Journal.

The effectiveness of his labored effort is to be judged by the fact, as stated by Judge DeCourcy, that after a conviction had been secured "the supreme court set aside the verdict on the ground that the indictment did not clearly show whether the mortal wound was inflicted with the club!"

The average indictment is such a conglomeration of words as to require more or less careful study to discover "what it is all about." The circumlocutory methods employed to set forth the charge against the defendant often result in defeating the ends of justice, since they lay down a trap for demagogues on technicalities and some of the highest courts have developed a remarkable tendency for finding fly specks of error. Judge DeCourcy says if there were no other objection to such an indictment "than that it is an insult to the English language, it ought to be abolished."

In that he is eminently correct, but he proceeds to show that there are other and more serious objections, as "Informalities in the form of such absurd indictments and variations between their allegations and the proof offered result daily in liberating men who are guilty of grave crimes."

Most of those who have devoted any serious thought to the matter will agree with the Massachusetts jurist that "whatever justification there was for such technical pleadings in the days of the savage penal laws of the long ago, there is absolutely none for their survival in the twentieth century."

The superfluous verbiage employed in drawing a "true bill" is the chief reason why so many indictments fail to "stick." The verbiage is redundant and confusing and leaves openings for the shrewd lawyer to find a fatal flaw. It would be infinitely better if these matters were simplified—if there were less adherence to the formalities and more regard for the substance of justice.

THE EDUCATIONAL CONVENTION
The thanks of the entire city of Albuquerque are due to the Commercial club and to the local delegates to the annual convention of the New Mexico Educational association now being held at Santa Fe for their action and hustling public spirit in bringing the next convention of the association to this city.

All hands are to be congratulated on the decision to hold the convention here next year. Albuquerque, of course, will be greatly benefited by the opportunity to entertain the cream of the scholarship of the entire state, while the teachers will find in this progressive and enlightened city a thoroughly congenial atmosphere and facilities for their comfort and for the successful conduct of the work of the convention which could not be afforded by any other point in New Mexico at which the gathering could have been held.

The Commercial club rendered valuable aid in securing the 1912 convention for Albuquerque, and the Duke City delegates were not less energetic and patriotic in the work that they did on the floor of the convention. These good men and women have set an example of civic loyalty which all citizens should emulate.

The candidates whom Mr. Bryan is opposing for the Democratic nomination next year are increasing so rapidly in number that they will soon be able to form an organization of cumulative strength equal to that of the American club.

Gales and blizzards on the great lakes in the winter—blighting rain waves throughout the entire coast in the summer—but who needs to be told any longer that New Mexico is the only part of the country fit to live all the year around in.

In deciding to hold its next convention in Albuquerque the New Mexico Educational association demonstrated that it is composed not only of a body of scholarly men and women but of people who know a good town when they see one.

promise of surpassing in unclear details anything that even Denver has yet pulled off.

The question of the high cost of ball players how agitating the natives at San Antonio does not interest the general public so much as the quality of ball that they play.

With Rodgers sick abed from a blow on the head and Fowler stuck in the sand at El Paso, transcontinental aviation is not making very rapid strides just at present.

The fact that they rarely come back doesn't keep 'em from trying, mightily hard. Yuan Shi Kai is the latest to take a shot at it.

It was very pleasant to hear the city council make a noise like street paving last night.

It begins to look as if the troubles of Francisco I. Madero, instead of being over, have only begun.

Voice of the People.

Evening Herald:

The question of paving a portion of Albuquerque streets at the present time is not so much one of the merits of the different kinds of paving as it is that our first contract should be let to the highest bidder for an article of doubtful worth, and turn down a bid much lower for an article of standard merit. The Texas company with their patented blutbluthe were the first on the ground after it was known that we intended to pave and their agent has camped among us ever since.

The first specifications drawn by our city engineer were so worded as to exclude Mr. Laughlin's bid of \$1.50 per square yard for the regulation asphalt concrete paving. Mr. Laughlin at the time did not know this but his attorneys afterward informed him that those specifications on which he bid were an infringement of the Warren Bros. patent, the result was that Mr. Laughlin was compelled to withdraw that bid. Mr. Laughlin has come to Albuquerque several times since in the interest of this paving contract, as has also Mr. Marshall of Denver, who represents the farther Asphalt Co. and both of these men have repeatedly stated both to the council and in private that they could and would put us in a first class asphalt concrete pavement at \$1.50 per square yard.

The council has stated all along, if not collectively, at least individually, that they would let the property owners, those having the bills to pay, decide upon the kind of paving they wanted. In accordance with this generosity on the part of the council I presented a petition signed by more than 80 per cent of such property owners protesting against letting this contract to the Texas company for their blutbluthe at \$2.20 when a better paving could be had for \$1.50. It seems, however, that the council was only joking when they promised the property owner this privilege as their action last night plainly indicated.

Mr. Mullens, superintendent of the streets in Milwaukee, telegraphed me yesterday that their last contract was for first class asphalt concrete paving at \$1.50 per square yard. This shows that Mr. Laughlin would have made a good profit under his bid of \$1.50.

It may be very amusing to certain members of the Commercial club and others who do not pay these bills, that the property owners should object to absolutely giving over \$10,000 of their money to the Warren Bros. of Boston and the Texas Blutbluthe Co. Of course, Mr. Laughlin and his company will open fine offices in Albuquerque. Why shouldn't they?

That is the way "big business" is done, as judging by Albuquerque enterprise in getting paving, the melons to be cut in the paving business in New Mexico will be great.

M. P. STAMM.

HOLLOW-HOLE, OR HOLLOW CONSCIENCE?

Just what the New Mexico Democrats accomplished for the Democratic party by electing a governor and letting the Republicans capture the United States senate is beyond our ken. The New Mexico Democrats need to be bored for the hollow horn.—Houston Post.

DEAD MAN'S KIDNEY SAVES PATIENT'S LIFE

Philadelphia, Nov. 18.—One of the most remarkable clinics in surgery that has ever been held in this city and the most interesting that has been seen in the present visit of surgeons of this country and Canada who are attending the clinical congress of surgeons of North America was that conducted in the Methodist Episcopal hospital by Dr. L. J. Hammond, chief of staff of the hospital, involving the transplanting of a kidney. This operation, which included an anatomical dissection of blood vessels and connecting of veins, arteries and other ducts and glands, was highly satisfactory. The patient's recovery, the surgeons said, seemed certain.

Dr. Hammond transplanted into the patient's body the kidney of a man who was killed in an automobile accident yesterday afternoon.

CAN'T CURE CATARRH.

Stomach, Bowels, Sprays and Douches Have All Failed.

There is only one way to cure catarrh.

Reach the raw, tender, inflamed membrane that is infested with catarrh germs, and destroy the germs. You can't reach the nooks and crevices with liquid preparations—there is only one way—breathe the antiseptic germ killing air of HYOMEI (pronounced High-o-mee) directly over the infected parts.

HYOMEI contains no opium, cocaine or other harmful drugs. It is made of Australian eucalyptus, thymol and other Listerian antiseptics. It is guaranteed to end the misery of catarrh, asthma, croup and bronchitis, or money back.

Ask J. H. O'Reilly about the HYOMEI antiseptic today. He sells it for only \$1.00 and guarantees it.

THIS MAN HAS BEEN IN PEN 52 YEARS

Now He Wants to Get Out; Has Served Longer Than Any Prisoner Now Living in United States.

Hartford, Conn., Nov. 18.—John Warren and Kate Cobb are easily the two most distinguished prisoners in the state prison in Wethersfield. Warren because of the fact that he has been in prison longer than any man now confined in this country and Kate Cobb because of the sensation which her arrest with that of Wesley Bishop caused in New York and eastern Connecticut many years ago when they were arrested for the murder of "Charles" Cobb, the husband of the woman. That Warren and Kate Cobb are tired of prison life is evidenced in the fact that they have petitioned the board of pardons to be set free. Their petitions will come before the board next month. Neither can appear before the board in person because of the fact that they have petitioned before. This makes the seventh time that Warren has petitioned and the second time for Mrs. Cobb. Her first petition was eight or ten years ago.

Warren was committed to the prison on December 1, 1859, for life for the murder of his wife in Willington and he stands on the prison register as No. 1. He is 73 years old now, and the board of pardons meets every two years. He was 21 years old when he was committed to the prison, and he had been in the institution twenty years when Kate Cobb was received there on January 17, 1879. Mrs. Cobb is now 61 years old, and she has been in prison over thirty years.

Warren was sentenced to murdering his wife and his arrest and conviction, as well as the murder, made one of the sensations of the time. He and his wife went walking one afternoon and on reaching a brook Warren sat down on the bank with his wife by his side. He persuaded her to take off her shoes and stockings and put her feet in the water. While she was sitting in this position he took her by the back of the neck, doubled her head under and deliberately held her head under water until she drowned. After sensational developments he was captured and convicted. Because of the long time he has been in prison, many have become interested in him in times past and have aided in efforts that he be pardoned. In his seventh petition, filed on Saturday, he says that he has been in prison over fifty-two years and believes that he has been sufficiently punished for the crime he committed. He says that if he is released he has a home to go to and he asks that the board show him mercy for the act he committed when merely a boy.

Kate M. Cobb is No. 14 on the prison register, and although she has been in prison nearly thirty-three years, she preserves many traces of the beauty which she possessed when she lived in Norwich. She planned with Wesley Bishop the murder of her husband, and the latter should put his wife out of the way. Mrs. Cobb was to put her husband out of the way, and with the two dead Bishop and Mrs. Cobb were to marry. Arsonic was the poison used and "Charles" Cobb died. Before the death of Cobb, Bishop and Mrs. Cobb had been seen much in each other's company, suspicion attached to them and they were arrested and put to trial. At a time of the trial when the belief was general that there was not

\$3.50 RECIPE FREE, FOR WEAK MEN.

Send Name and Address Today—You Can Have It Free and Be Strong and Vigorous.

I have in my possession a prescription for nervous debility, lack of vigor, weakened manhood, failing memory and lame back, brought on by excessive, unnatural drains, or the folios of youth, that has cured so many worn and nervous men right in their own homes—without any additional help or medicine—that I think every man who wishes to regain manly power and virility, quickly and quietly, should have a copy. So I have determined to send a copy of the prescription free of charge, in a plain, ordinary sealed envelope to any man who will write for it.

This prescription comes from a physician who has made a special study of men and I am convinced it is the surest-acting combination for the cure of deficient manhood and vigor failure ever put together. I think I owe it to my fellow man to send them a copy in confidence so that any man anywhere who is weak and discouraged with repeated failures may stop dragging himself with harmful patent medicines, secure what I believe is the quickest-acting restorative, upbuilding, SPOT-TOUCHING remedy ever devised, and do it himself at home quietly and quickly. Just drop me a line like this: Dr. A. R. Robinson, 4752 Luck Building, Detroit, Mich., and I will send you a copy of this splendid recipe in a plain ordinary envelope free of charge. A great benefit doctors would charge \$2.00 to \$5.00 for merely writing out a prescription like this—but I send it entirely free.

Big Pay in Civil Service

The pay is good, the work congenial and promotion rapid in the U. S. Civil Service. If you are an American man or woman over 18 years old eligible for any government position if you pass the Civil Service Examination. To learn how you can qualify in your spare time, write for our Free Civil Service booklet, M. Clifford Houghland, representative of International Correspondence Schools, Box 142, Albuquerque, N. M.

DR. PRIGES CREAM BAKING POWDER

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the Standard for purity,
strength and healthfulness.
Made from pure,
grape cream of tartar,
free from alum and
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acids.

sufficient evidence is convict, Bishop turned state's evidence, and he and Mrs. Cobb were sentenced to prison for life. Bishop died there a few years ago and it has often been said that from the time that they were received at the prison until Bishop died he and the woman never laid eyes on each other. She is a clever woman and each year at Christmas time when there is a sale of the work of the prisoners much of Mrs. Cobb's handiwork is offered for sale.

In support of her second petition for a pardon she says that she has served thirty-three years, practically a life time. She says that she has been in prison over half her life and all of the best part of it, and "feels that she has been sufficiently punished for anything." The petition which has her signature continues: "She does not ask release for herself alone, as she has lost all that life holds dear, but her children and their offspring, and wishes to pass the remainder of her life with them, and spare them the disgrace of dying in here."

CHURCH WILL HAVE MOVING PICTURES

Pastor Believes Right Sort of Films Shown in Church Will Help the Cause of Religion.

Los Angeles, Cal., Nov. 18.—Moving pictures will be exhibited in Temple Baptist church, Rev. J. Whitcomb Broughton, the pastor, announced Sunday night. He took on his sermon topic "Sidelights on the Footlights," and in the course of his sermon made the foregoing announcement. Dr. Broughton said: "Just as soon as the officers of Temple Baptist church can see their way financially to do it, I hope that we can put a moving picture machine into the temple that can be used in connection with our Sunday school and educational work. Already there are films produced that present in the most attractive, interesting, instructive and entertaining way the scenes of Bible times."

"I wish I could say as much for the theater. Historically, the theater as an institution has never catered to high moral ideals. The modern theater as an institution is no better. You know it is possible for an occasional performance to be on a very high moral plane and still possible for the theater as a regular thing to be vicious, morally. I wish it were possible for our cities to appoint men and women of high moral character and noble ideals to conduct



An Innovation in Oil Heaters

The Perfection Smokeless Oil Heater, with its drums enameled in turquoise, is an ornament to any room, whether in the country or city home.

No home is quite complete without a Perfection Oil Heater. It is a necessity in the fall and spring, when it is too warm to start the regular heating apparatus, and too cool to be without heat. In the midst of winter it is often convenient as an auxiliary heater, as there are always some cold corners in a house.

The enameled heater always presents a nice appearance, as the enamel will not tarnish or burn off. It is not an "enamel paint," but it is the same as the enamel of your cooking utensils.

The Perfection is the most reliable and convenient portable heating device you can find. An automatically-locking flame spreader prevents turning the wick high enough to smoke.

PERFECTION
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Under everywhere. Ask your dealer to show you the Perfection Heater, or write for literature circular to any agent of Continental Oil Company (Incorporated).

Ladies of Albuquerque

Do You Know

That it is unnecessary to send your furs, feathers and delicate finery out of the city for their cleaning, repairing and remodeling.

Try Us

Again--
Do You Know

that we can repair, clean, press and remodel and do all kinds of skilled work with your clothes, your hats, also the children's. That all tears, rips and rents can be successfully repaired so that your neighbor would not know it.

Try Us

Gentlemen of Albuquerque

Do You Know

That we will keep your clothes cleaned, pressed and repaired and always in order even to "that hole in the pocket" or "that suspender button." That we can mend that rip or tear so that your close friend cannot detect it. "That pants bottom" we can fix in a "JIFFY." That suit of clothes you have discarded is good for a season's wear after our treatment. We WILL SAVE YOU MONEY.

Try Us

Again--
Do You Know

That cleaning, rebanding and blocking of hats is a man's work. Those hats "out of shape," the edge worn, the band worn, the outside band discolored, the sweat band nasty, any one or all are our delight in repairing for you.

Try Us

Do You Know

That the overcoat worn to shabbiness around the collar, the front edges, the lapels, and the pockets sagging, lining worn, any and all we have skilled workmen who "EATS 'EM ALIVE" and gives you back practically a new appearing garment.

Try Us

Say--

Do you know "FELIX"? He's the youth that does nothing but call for and deliver back your goods. He's O. K.

Test Him

Who are we that say so much?

Well, we are the folks that guarantee your goods from the time we receive them against loss by fire, theft or any mishap, to their value and our WORK to the fullest extent and ask no pay from the patron if dissatisfied.

Try Us

How to reach us:

USE PHONE 1143, DROP A POSTAL OR CALL AT OUR SHOP. (A special man sent to your home on request to consult with you.)

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